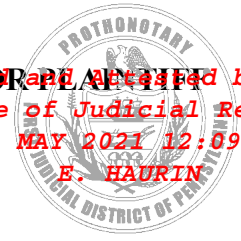


NASS CANCELLIERE
By: Michael A. Cancelliere, Jr.
Identification No. 56989
1515 Market Street, Suite 2000
Philadelphia, PA 19102
(215) 546-8200

ATTORNEY FOR PLAINTIFF
Filed and Attested by the
Office of Judicial Records
14 MAY 2021 12:09 pm
E. HAURIN



CRYSTAL MILLER

v.

PARK HOTEL & RESORTS INC, formerly :
Known as Hilton Hotel Corporation t/a, :
d/b/a, HILTON LOS ANGELES AIRPORT :
and :
FORTUNA ENTERPRISES US :
t/a, d/b/a HILTON LOS ANGELES :
AIRPORT :
and :
HILTON LOS ANGELES AIRPORT :

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

APRIL TERM, 2021

NO.: 00435

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**PHILADELPHIA BAR ASSOCIATION
LAWYER REFERRAL AND
INFORMATION SERVICE**

**One Reading Center
Philadelphia Pennsylvania 19107
Telephone: (215) 238-6333
TTY: (215) 451-6197**

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

**ASOCIACIÓN DE LICENCIADOS DE
FILADELFIA
SERVICIO DE REFERENCIA E
INFORMACIÓN LEGAL**

**One Reading Center
Filadelfia, Pennsylvania 19107
Telefono: (215) 238-6333
TTY: (215) 451-6197**

COMPLAINT

1. Plaintiff, Crystal Miller, is an adult individual residing at 210 Lumber Street, Highspire, PA 17034.

2. Upon information and belief, defendant, Park Hotel & Resorts Inc. (hereinafter Park Hotel & Resorts), formerly known as Hilton Corporation t/a, d/b/a, Hilton Los Angeles Airport is a corporation/business entity which at all times material hereto regularly conducted business in the Commonwealth of Pennsylvania and City of Philadelphia and having its principle place of business address at 755 Crossover Lane, Memphis, TN 38117.

3. Upon information and belief, defendant, Fortuna Enterprises US t/a, d/b/a, Hilton Los Angeles Airport is a corporation/business entity which at all times material hereto regularly conducted business in the Commonwealth of Pennsylvania and City of Philadelphia and having a place of business address 5711 W. Century Boulevard, Los Angeles, CA 90045.

4. Upon information and belief, defendant, Hilton Los Angeles Airport is a corporation/business entity which at all times material hereto regularly conducted business in the Commonwealth of Pennsylvania and City of Philadelphia and having a place of business address at 5711 W. Century Boulevard, Los Angeles, CA 90045.

5. At all relevant times, defendants were acting by and through their duly authorized agents, servants, workmen and/or employees acting on their master's business and within the scope and course of their employment.

6. At all times material hereto, Defendants owned operated, controlled, managed and maintained a hotel known as Hilton Los Angeles held out an open invitation to the public to come onto Defendants' premises and stay for lodging.

7. On or about July 25, 2020, Plaintiff, Crystal Miller, was a guest/patron/business invitee, and/or otherwise legally on defendant's premises and staying at Defendants' hotel.

8. At all times relevant hereto, and for some period of time prior thereto, Defendants, owned, operated, controlled, managed and/or maintained the property and hotel at the aforesaid location and had a duty to keep and maintain the aforesaid premises in a reasonably safe condition for those persons lawfully thereon, including Plaintiff, Crystal Miller.

9. On the aforesaid date, while lawfully on defendants' premises, Plaintiff was attempting to enter her room of Defendants' hotel and exercising due care and caution for her own safety when suddenly and without warning as she was opening the door of her room using the doorknob/handle, the doorknob/handle came loose/detached causing Plaintiff to stumble backwards and fall and as a result Plaintiff sustained personal injuries and damages more specifically set forth below.

10. At or about the same date, time and place in question, and for some period of time prior thereto, Defendants, by and through its agents, servants, workmen and/or employees, negligently, and/or carelessly allowed and permitted dangerous and unsafe conditions to exist on its premises, including but not limited to, the conditions which directly resulted in the plaintiff's injuries.

COUNT I
CRYSTAL MILLER VS. PARK HOTEL & RESORTS, INC

11. Paragraphs 1-10 above are incorporated by reference herein as if set forth at length.

12. The defendant, Park Hotel & Resorts had actual knowledge of the existence of the aforesaid dangerous and defective conditions or should have had such knowledge in the exercise of reasonable diligence prior to the occurrence of this action.

13. Defendant Park Hotel & Resorts, jointly and/or severally was negligent and careless in that its agents/employees:

- a. Failed to properly install, secure, monitor, test, inspect the doorknob/handle of Plaintiff's room, to see if there were dangerous or defective conditions to those legally on the premises;
- b. failed to provide sufficient warning as to the reasonably foreseeable defects and dangerous conditions of the doorknob/handle;
- c. failed to reasonably maintain, repair, remove, and/or otherwise exercise due and reasonable care under the circumstances in view of the foreseeable dangers, accidents, and/or injuries that could occur as a result of the conditions of the door of Plaintiff room;
- d. failed to comply with all building codes, county and city laws, ordinances and regulations pertaining to the design, construction, and maintenance of the aforementioned hotel;
- e. failed to exercise the proper care, custody and control over the aforesaid premises; and
- f. failed to prevent and/or remove the aforesaid dangerous condition; thereby creating a reasonable foreseeable risk injury.

14. As a result of the aforesaid negligence of the defendant, and the accident caused thereby, plaintiff sustained severe injuries to her head, body, and limbs; more particularly, she did suffer an annual tear disc herniation at C7, T8; aggravation of degenerative changes in the thoracic spine; disc protrusion of C5-C6; disc bulge C5-C&; and C7-T1; disc bulge C2, C4, C4-C5; dizziness, headaches and a severe shock to her nerves and nervous system, which injuries are permanent in nature and have rendered the plaintiff sick, sore, lame, prostrate, disabled, and as a result of which she has suffered, yet suffers, and will continue to suffer great physical pain and mental pain and anguish.

15. As a further result of the foregoing, plaintiff has been obliged to receive and undergo medical attention and care and to incur various expenses for same and she may be obliged to

continue to undergo such medical care and to incur such medical expenses for an indefinite time in the future.

16. As a further result of the foregoing, plaintiff has been prevented from and hindered in performing her usual duties and occupation, thereby impairing her earning capacity, which impairment may be permanent, all to her great financial damage and loss.

17. As a further result of the foregoing, plaintiff has been prevented from and hindered in performing her customary activities and she has been unable to enjoy the pleasures of life, all of which may continue for an indefinite time in the future.

18. As a further result of the foregoing, plaintiff has incurred various other incidental expenses and she may continue to incur such expenses for an indefinite time in the future.

WHEREFORE, Plaintiff, Crystal Miller, demands judgment against the defendant Park Hotel & Resorts, Inc. formerly known as Hilton Hotel Corporation t/a, d/b/a, Hilton Los Angeles Airport, in an amount in excess of fifty thousand dollars (\$50,000.00).

COUNT II
CRYSTAL MILLER VS. FORTUNA ENTERPRISES US

19. Paragraphs 1-18 above are incorporated by reference herein as if set forth at length.

20. At all times material hereto, Defendant, Fortuna Enterprises US had actual knowledge of the existence of the aforesaid dangerous and defective conditions or should have had such knowledge in the exercises of reasonable diligence prior to the occurrence of this action.

21. Defendant Fortuna Enterprises US, jointly and/or severally was negligence in that Defendant:

- a. Failed to properly install, secure, monitor, test, inspect the doorknob/handle of Plaintiff's room, to see if there were dangerous or defective conditions to those legally on the premises;

- b. failed to provide sufficient warning as to the reasonably foreseeable defects and dangerous conditions of the doorknob/handle;
- c. failed to reasonably maintain, repair, remove, and/or otherwise exercise due and reasonable care under the circumstances in view of the foreseeable dangers, accidents, and/or injuries that could occur as a result of the conditions of the doorknob/handle of Plaintiff room;
- d. failed to comply with all building codes, county and city laws, ordinances and regulations pertaining to the design, construction, and maintenance of the aforementioned hotel;
- e. failed to exercise the proper care, custody and control over the aforesaid premises; and
- f. failed to prevent and/or remove the aforesaid dangerous condition; thereby creating a reasonable foreseeable risk injury.

22. As direct and proximate result of the negligence and carelessness of the Defendant, Fortuna Enterprises US for damages, Plaintiff suffered the injuries and damages complained of and reference in paragraphs 14-18 above.

Wherefore, Plaintiff, Crystal Miller demands judgment against Defendant, Fortuna Enterprises US in an amount in excess of Fifty Thousand Dollars (\$50,000.00).

COUNT III
CRYSTAL MILLER VS. HILTON LOS ANGELES AIRPORT

23. Paragraphs 1-22 above are incorporated by reference herein as if set forth at length.

24. At all times material hereto, Defendant, Hilton Los Angeles Airport had actual knowledge of the existence of the aforesaid dangerous and defective conditions or should have had such knowledge in the exercises of reasonable diligence prior to the occurrence of this action.

25. Defendant, Hilton Los Angeles, jointly and/or severally was negligence in that Defendant:

- a. Failed to properly installed, secure, monitor, test, inspect the doorknob/handle of Plaintiff's room, to see if there were dangerous or defective conditions to those legally on the premises;
- b. failed to provide sufficient warning as to the reasonably foreseeable defects and dangerous conditions of the doorknob/handle;
- c. failed to reasonably maintain, repair, remove, and/or otherwise exercise due and reasonable care under the circumstances in view of the foreseeable dangers, accidents, and/or injuries that could occur as a result of the conditions of the doorknob/handle of Plaintiff room;
- d. failed to comply with all building codes, county and city laws, ordinances and regulations pertaining to the design, construction, and maintenance of the aforementioned hotel;
- e. failed to exercise the proper care, custody and control over the aforesaid premises; and
- f. failed to prevent and/or remove the aforesaid dangerous condition; thereby creating a reasonable foreseeable risk injury.

26. As direct and proximate result of the negligence and carelessness of the Defendant, Hilton Los Angeles Airport for damages, Plaintiff suffered the injuries and damages complained of and reference in paragraphs 14-18 above.

Wherefore, Plaintiff, Crystal Miller demands judgment against Defendant, Hilton Los Angeles Airport in an amount in excess of Fifty Thousand Dollars (\$50,000.00).

NASS CANCELLIERE

BY: /s/ Michael A. Cancelliere, Jr.
MICHAEL A. CANCELLIERE, JR.
Attorneys for Plaintiff

VERIFICATION

The undersigned hereby verifies that the facts contained in the foregoing document are true and correct to the best of my knowledge, information, and/or belief. I understand that the statements contained in this document are made subject to the penalties of 18 Pa. C.S. section 4904 relating to unsworn falsification to authorities.

Date: 5/14/21

Captab Miller